

BOARD OF DIRECTORS

Stanley R. Caldwell

David P. Maggi

Gregory T. Pyka

Dorothy M. Sakazaki

Randell E. Williams

David R. Contreras

DISTRICT MANAGER

Sheri L. Riddle

BOARD SECRETARY

J. Daniel Adams

LEGAL COUNSEL

Randolph W. Leptien

ENGINEER

April 12, 2007

Lila Tang, Chief
NPDES Division
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay St., Suite 1400
Oakland, CA 94612

Subject: Comments on Tentative Order
San Francisco Bay Mercury Watershed Permit

Dear Ms. Tang:

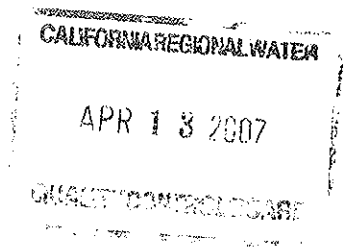
Thank you for the opportunity to review and comment on the tentative order for the San Francisco Bay Mercury Watershed Permit that implements the San Francisco Bay Mercury TMDL. While we find the proposed limits and triggers in the permit challenging, we fully support and participate in regional efforts to minimize mercury in wastewater discharges.

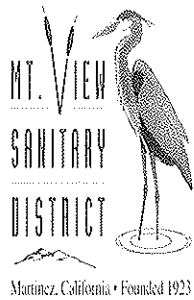
Along with four other municipal dischargers, we have been categorized as "advanced secondary" and have received a significantly lower monthly average trigger of 0.011 ug/L compared to the other secondary plants (0.041 ug/L) and the industrial dischargers (0.037 ug/L). Our monthly limit of 0.021 ug/L has not been violated in the last eight years in any single sample of our effluent, and this concentration level is equivalent to the proposed maximum daily trigger. However, we have some concern that about 9% of our single sample results since 1999 exceed the proposed average monthly mercury trigger, which could lead to increased costs to the District for monitoring and reporting.

Our comments are numbered below.

1. The tiered policy of trigger levels appears to punish the best performers with more restrictive limitations and monitoring and reporting requirements that are unlikely to explain minor exceedances. These additional requirements associated with the triggers will also create more work for Water Board staff that is unlikely to yield definitive or useful answers. We hope that this trigger policy does not end up sending both dischargers and Water Board staff down a pathway chasing parts per trillion with no measurable environmental benefit.
2. Whether we violate a trigger or a limit, the response actions would be the same, given the extremely low levels and how close the effluent limit values and the trigger values are to each other (only 10 parts per trillion apart). We propose that triggers be eliminated for advanced secondary treatment

MT. VIEW SANITARY DISTRICT
3800 ARTHUR ROAD
P.O. BOX 2757
MARTINEZ, CA 94553
925-228-5635
FAX: 925-228-7585





plants as an incentive for improving treatment processes. We have three dentists in our service area, no industrial sources of mercury, and participate with Central Contra Costa Sanitary District in a central county partnership for household hazardous waste collection to reduce sources of mercury in the watershed. A monthly average result above 0.011 ug/L would not lead us to uncover any significant sources that we would not otherwise find due to violations of the monthly average limit of 0.021 ug/L violated in a single sample (equal to the proposed maximum daily trigger).

3. Perhaps a more equitable approach would be to eliminate all triggers for all NPDES dischargers. Limits provide enough incentive to track down and eliminate sources of mercury and maintain existing loading levels. Triggers and associated requirements represent a ratcheting down of regulatory requirements that will not yield measurable environmental results on mercury in San Francisco Bay, but will certainly increase the paperwork generated by dischargers and the Water Board.

We appreciate the unique challenge facing the Water Board staff to balance the need to maintain existing loading and create an equitable system of regulation for mercury. We do not believe that our requests above will weaken the permit – the same actions by local agencies are likely to occur on mercury with or without the triggers. Because NPDES discharges make up only 1% of the load to the San Francisco Bay, we urge the Water Board to reconsider the proposed trigger policy. The final concentration and mass limits implement the TMDL. On the other hand, the proposed triggers are a discretionary component in the tentative order and one that is not required to advance the admirable goal of minimizing mercury in wastewater discharges.

If you have any questions, do not hesitate to contact me.

Sincerely,

MT. VIEW SANITARY DISTRICT

Dale W. Riddle
District Manager

CC: Steve Moore, Nute Engineering
Dick Bogaert, Mt. View Sanitary District